

# ***David J. Ley, Ph.D.***

## **Forensic Experience/Sworn Testimony**

September 2024 - CO v Vanderpouye. 16CR425. Retained by defense as expert on sexuality, psychology and memory.

July 2024 – OR v Christopher Gibson. SP-23-345798. Retained by defense as expert on BDSM and gay sexual culture. Submitted expert report for settlement proceedings.

June 2024 – PP (Singapore) v Dylan Gadi Rachtomo, SC-903602-2023. Retained by defense as expert on sexuality.

May 2024 – State of NM v Skyler Sheldon DA 2022-04249-1. Retained as expert on memory and sexuality. Pre-trial interview 5/18/2024.

May 2024 – Georgia vs Kofler. Superior Court of Gwinnet County, Georgia. Retained by defense as expert on sexual diversity and role-play. Admitted and qualified as expert on clinical psychology, sexuality, online sexuality, age-play and sexual role-playing and gay male sexual culture. Testified at trial.

April 2024 – AC et al v Jason Hollis-Reynolds et al. No D.-202-CV-2020-05169. Retained as expert on psychology and sexual harassment.

April, 2024 – R v Lyver. Supreme Court of Newfoundland and Labrador. Testified in qualifying hearing as expert on memory and recovered memory. Retained by defense.

April 2024. Doe, et al. v Mindgeek. Retained by defense as expert on pornography.

March 2024 – USA v Andrew Butler. US District Court, AZ. #AW1-AZXFPD24-0012. Retained by defendant in criminal cases as expert witness regarding BDSM and pornography. Expert report submitted to court. Accepted as expert, testified in trial.

October, 2023 – State of MT v Andrew Beckett. Retained by defendant in criminal cases as expert witness regarding BDSM, sexual assault. Expert report submitted to court. Case settled before trial.

August 2023 – State of MD v Keshi Parker. CC-23-000217. Retained by defendant in criminal cases as expert witness regarding BDSM. Case in Howard County settled without trial. Case in PG County resolved without trial.

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August, 2023 – Free Speech Coalition, Inc. et al v Attorney General of Texas. No 1:23-cv-00917-DAE. Retained as expert consultant and witness regarding the effects of pornography viewing. Multiple expert reports submitted to court.

April 2023 – Jones v State of Washington Case No 22-2-11163-3 SEA. Retained by defense as expert witness on memory and recovered memory claims. Declarations on expert testimony submitted. Case settled prior to trial

January 2023 – Rollins v SBC. 10174.003; Rollins v. SBC, et. Al. Retained by defense as expert witness on memory and recovered memory claims. Declarations on expert testimony submitted. Case settled prior to trial.

January 2023 – USA v Dennis. Retained by prosecution as consultant and expert witness on sexuality and BDSM for court martial. Case resolved without sworn testimony.

December 2022 – NM v Lee. D-202-CR-2022-01438. Retained by defense as expert on effects of alcoholism on memory and blackouts. Case plead prior to trial.

December 2022 – Nevada v O’Gorman. No. RCR2021-116300. Retained by defense as expert on psychology of sexwork. Testified at initial hearing. Qualified as expert by judge. Testified as expert at trial.

April 2022 - M.S., P.M., et al., v. State of Washington No. 19-2-06192-34. Retained by state (defendant) as expert witness regarding psychology of memory and “recovered memories.” Case resolved prior to trial without deposition or testimony.

April 2022 - D.E., et al., v. State of Washington. No.: Thurston County Superior Court No. 21-2-02019-34. Retained by state (defendant) as expert witness regarding psychology of memory and “recovered memories.” Case resolved prior to trial without deposition or testimony.

April 2022 - T.V. v. State of Washington; No. 21-2-06819-9. Retained by state (defendant) as expert witness regarding psychology of memory and “recovered memories.” Deposed. Case settled during trial prior to my testimony.

March 2022 - JR. v State of Washington; Cause No 19-2-10294-8. Retained by state (defendant) as expert witness regarding psychology of memory and “recovered memories.” Case resolved prior to trial without deposition or testimony.

November, 2021 – (J.R.) (KS) v DSHS, et al. v STATE Court/Cause No.: Pierce Co. Superior Court / Cause No. 19-2-10294-8. Retained by state (defendant) as expert witness regarding psychology of memory and “recovered memories.” Declaration provided. Case settled prior to trial.

October, 2021 – Harris v State of Washington. 21-2-05008-1 SEA. Retained by state (defendant) as expert witness regarding psychology of memory and “recovered memories.” Declaration provided. Case settled prior to trial.

October 2020 – SS v State of Washington 19-2-09341-8. Retained by state (defendant) as expert witness regarding psychology of memory and “recovered memories.” Case settled prior to trial.

September 2020 - USA vs Arthur, NO P-19-CR-774. Retained by defense as expert witness regarding scientific issues related to pedophilia, obscenity and written stories. Trial in January 2021, testimony excluded. 5<sup>th</sup> Circuit Appeals reversed exclusion.

June 2020 – Fooks vs Acadia Healthcare Company Inc. D-117-CV2019-00136. State of New Mexico, First Judicial District. Retained by defense as expert witness regarding therapeutic foster care services practices in New Mexico. Deposed. Case resolved without expert testimony.

May 2020 - Colorado v Garcia-Ramires 19CR1792. Retained as defense expert witness regarding sexuality. Qualified as expert witness in sexuality and psychology, with trial testimony provided. Defendants acquitted in jury trial, February 2022.

March 2020 - Lloyd's, London (Beazley, IC Group, Pardus), North American Capacity Insurance Company and Allianz vs Frantic, Inc. and James Hetfield. Retained as expert witness on claims of sex and alcohol addiction as they relate to claims of insured loss. Case resolved without litigation.

February 2020 – US vs SrA Heresh; Western Circuit, Department of Air Force. Appointed as forensic psychology expert regarding bipolar disorder and BDSM sexuality practices. Case and charges were dismissed without trial or testimony.

July 2019 – Shanna Shelton v Derek Shelton, Evansville, IN. 82D05-1805-DC-000610. Retained as expert witness/consultant in custody case regarding sex addiction treatment and the Sexual Dependency Inventory. Case was settled without testimony.

March 2019 – Pegasus, GAL for AB, et al, v Teambuilders, et al. D-1011-CV-2016-02760. Retained, deposed as expert witness regarding treatment foster care services in New Mexico. Case was settled without testimony at trial.

January 2019 – Lloyds of London v MRC II Distribution Company, re “House of Cards.” Retained as expert witness on claims of sex addiction as they relate to claims of insured loss. Case pending civil trial in California.

April 2018 – Fernando L. Frye Hearing – Appellate Division, Fourth Department, Utica NY. Retained as Expert witness on hypersexuality. Testified at trial.

December 2017 – Collette Russell v Nebo School District. 2:16-cv-00273-DS. Retained, deposed as expert on sexual offending. Deposed April 2, 2018. Case was settled without trial in Fall 2019.

October 2016: Colorado vs Crumpler, Colorado Springs. 15CR2430. Retained as expert witness on polyamory. Preliminary report offered. No testimony or deposition. Case was resolved prior to trial.

September 2016: USA vs Lockwood, San Antonio, TX. Retained as expert witness on BDSM and alternative sexual practices. Case was ultimately settled without testimony.

July 2015: Disability Rights New Mexico. Retained as expert witness/consultant for potential class action involving Medicaid policy and behavioral health treatment. Case was never filed.

July 2015: Cleveland Metro. Bar Assn. v. Sleibi, 144 Ohio St.3d 257, 2015-Ohio-2724. Qualified and testified as expert witness about the diagnosis and treatment of alleged sex addiction.

2004 Testified in multiple legal matters in Albuquerque Metro Court, and in various State District Courts as Executive Director of New Mexico Solutions. Typically as Fact Witness, regarding agency actions in relation to release of confidential records, placement decisions, etc. In some cases, was certified as Expert Witness to testify regarding functions and details of state Medicaid and managed care system.

2002-2003: Served as forensic evaluator in New Mexico Behavioral Health Institute. Conducted forensic evaluations of adults committed to state hospital, testified to competency and treatment response.

2001-2002: Served as forensic evaluator for Fort Bend County Juvenile Probation Department. Conducted and testified to numerous psychological evaluations regarding competency, treatment recommendations, etc., of both adolescents and adults charged with criminal matters in district. Testified as both fact witness, and in some cases, as expert witness.